

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of September 5, 2013

The regular meeting of the Second Injury Board convened at 2:00 p.m.

The following were present:

1. Mr. Charles Hansberry, representing Commission of Insurance, Chairman
2. Ms. Lynette Mack, representing State Treasurer
3. Mr. Steve Hawkland, representing Secretary of State
4. Mr. Wes Hataway, OWCA/Director
5. Pauline Williams, SIB Director
6. Meridith Trahant, General Counsel
7. Karl Scott, General Counsel
8. Will Green, General Counsel
9. Laquita Jackson, Recording Secretary

Mr. Hansberry, Chairman, called the meeting to order and began with *Item 1* on the agenda, being the reading of the minutes from the previous meeting. Mr. Hataway moved to dispense with the reading of the minutes and approve the minutes as printed and distributed. The motion was seconded by Mr. Hawkland and passed unanimously.

The Chairman moved to *Item 2* on the agenda, being hearings on pending claims on the September 5, 2013 agenda and there were none.

The Chairman moved to *Item 3* on the agenda, being the recommendation of Ms. Williams to approve reimbursement on the following (15) claims; beginning with Claim #12-0107 and ending with Claim #13-0459.

1. LUBA Casualty Insurance Company	12-0107	104 weeks
2. City of New Orleans	12-0232	104 weeks
3. Church Mutual Insurance Company	12-0303	104 weeks
4. Louisiana Auto Dealers Association	12-0371	104 weeks
5. Louisiana Workers' Compensation Corporation	12-0615	104 weeks
6. Bridgefield Casualty Ins Co	12-0671	104 weeks
7. Ouachita Parish School Board	12-0836	104 weeks
8. Church Mutual Insurance Company	12-1045	104 weeks
9. Louisiana Health Care SIF	12-1053	104 weeks
10. Cincinnati Insurance Company	13-0060	104 weeks
11. LA Workers' Compensation Corp	13-0092	104 weeks
12. LA Restaurant Association	13-0221	104 weeks
13. City of Kenner	13-0229	104 weeks
14. Ace American Ins. Co	13-0252	104 weeks
15. City of Lake Charles	13-0459	104 weeks

Mr. Hataway moved to accept the recommendation of the Director and approve reimbursement of these claims. The motion was seconded by Ms. Mack and passed unanimously.

The Chairman moved to *Item 4* on the agenda, being the recommendation of the Director to deny reimbursement for the following (62) claims; beginning with Claim #05-0411 and ending with Claim #13-0527; excluding items # 8,13, 15, 17, 18 & 29, which were postponed.

1. City of New Orleans	05-0411	
2. LA Workers' Compensation Corp	12-0370	
3. Bridgefield Casualty Insurance Company	12-0386	
4. Louisiana Workers' Compensation Corporation	12-0462	
5. Ace American Ins. Co	12-0475	
6. Diocese of Houma-Thibodaux	12-0503	
7. Twin City Fire Insurance Company	12-0528	
8. Bridgefield Casualty Ins Co	12-0545	Postponed
9. LUBA Casualty Insurance Company	12-0567	
10. LUBA Casualty Insurance Company	12-0568	
11. Louisiana Workers' Compensation Corporation	12-0582	
12. LA Restaurant Association	12-0635	
13. Monroe City School Board	12-0759	Postponed
14. LUBA Casualty Insurance Company	12-0804	
15. Monroe City School Board	12-0875	Postponed
16. Ins. Co. of the State of PA	12-0893	
17. Ace American Ins. Co	12-0906	Postponed
18. LAC SIF	12-0940	Postponed
19. Lafayette Parish School Board	12-0960	
20. LA Workers' Compensation Corp	12-1004	
21. LUBA Casualty Insurance Company	12-1005	
22. LUBA Casualty Insurance Company	12-1008	
23. Lafayette Parish School Board	12-1023	
24. Ins. Co. of the State of PA	12-1029	
25. Jefferson Parish School Board	12-1032	
26. Bridgefield Casualty Insurance Company	12-1038	
27. Bridgefield Casualty Insurance Company	12-1041	
28. Bridgefield Casualty Ins Co	12-1043	
29. Bridgefield Casualty Insurance Company	12-1044	Postponed
30. LEMIC Insurance Company	12-1047	
31. Argonaut Ins Group	12-1055	
32. LUBA Casualty Ins Co	12-1058	
33. LA Workers' Compensation Corp	12-1070	
34. Louisiana Workers' Compensation Corporation	12-1072	
35. LEMIC Ins Co	12-1073	
36. Travelers Indemnity Co	12-1076	
37. Ins. Co. of the State of PA	13-0001	
38. Bridgefield Casualty Ins Co	13-0004	
39. LEMIC Ins Co	13-0014	
40. Louisiana Hospital Association	13-0018	

41. Old Republic Ins Co	13-0020
42. Louisiana Workers' Compensation Corporation	13-0030
43. Bridgefield Casualty Insurance Company	13-0031
44. LEMIC Insurance Company	13-0036
45. No Carrier Info.	13-0045
46. St Charles Parish School BD	13-0047
47. LUBA Casualty Insurance Company	13-0114
48. Louisiana Commerce & Trade Association	13-0144
49. No Carrier Info.	13-0162
50. LUBA Casualty Ins Co	13-0218
51. LA Restaurant Association	13-0251
52. Jefferson Parish	13-0264
53. LUBA Casualty Ins Co	13-0396
54. LEMIC Insurance Company	13-0400
55. Safety National Casualty Corporation	13-0403
56. LEMIC Insurance Company	13-0436
57. LEMIC Ins Co	13-0492
58. LUBA Casualty Insurance Company	13-0518
59. Jefferson Parish School Board	13-0523
60. Louisiana Workers' Compensation Corporation	13-0524
61. LA Restaurant Association	13-0525
62. Louisiana Retailers Mutual Ins. Co.	13-0527

Mr. Hataway moved to accept the recommendation of the Director to deny these claims. The motion was seconded by Mr. Hawkland and passed unanimously.

The Chairman moved to *Item 5* on the agenda, being the recommendation of the Director to approve reimbursement of (167) partial payments beginning with Claim #80-0247 and ending with Claim #11-0834. Mr. Hataway moved to accept the recommendation of the Director and approve reimbursement of the partial payments as submitted on the agenda of September 5, 2013. The motion was seconded by Ms. Mack and passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation of the Director to approve (67) quarterly payments due beginning with Claim #92-0968 and ending with Claim #11-0476. Mr. Hataway moved to accept the recommendation of the Director and approve reimbursement of quarterly payments as submitted on the agenda of September 5, 2013. The motion was seconded by Ms. Mack and passed unanimously.

The Chairman moved to *Item 7* on the agenda, being public comment. There being no one present from the public, the Chairman moved to go into Executive Session to discuss Second Injury Board litigation and settlements. Mr. Hataway moved to accept the recommendation. The motion was seconded by Mr. Hawkland and passed unanimously.

Upon returning from Executive Session, the Chairman made a motion to move out of Executive Session and back to regular session.

The Chairman moved to *Item 8a* of the agenda, being settlement recommendations. The Chairman made a motion to Postpone item 7, claim number 09-0236, approve (13) settlements to be paid as discussed and to extend settlement authority as recommended by the Director, and discussed in Executive Session, to be paid on quarterly basis.

1. 02-0945
2. 04-0365
3. 05-0899
4. 06-0303
5. 07-0782
6. 10-0707
7. 11-0433
8. 11-0615
9. 11-0706
10. 12-0399
11. 12-0883
12. 12-0939
13. 12-1048

Mr. Hataway moved to accept the recommendation. The motion was seconded by Mr. Hawkland and passed unanimously.

The following claim was recommended to be denied for settlement and be paid on an on-going basis:

1. 05-0664

Mr. Hataway moved to accept the recommendation. The motion was seconded by Ms. Mack and passed unanimously.

The Chairman moved to *Item 8b* of the agenda, being Second Injury Board litigation.

The Chairman made a motion to expand the agenda to include claim number 09-0482. Mr. Hawkland moved to expand the agenda and it was seconded by Ms. Mack. The motion was approved unanimously.

The Chairman made a motion to accept the recommendation of council and approve or continue with the claims as follows:

1. Claim #06-0946; recommended by General Council for settlement authority
2. Claim #09-0127; recommended by General Council for settlement authority
3. Claim #09-0152; recommended by General Council for settlement authority
4. Claim #09-0248; recommended by General Council for continued litigation
5. Claim #09-0574; recommended by General Council for continued litigation in anticipation of receipt of a dismissal and accept Claim # 09-0482 (both claims listed on Suit # 621,219)
6. Claim #09-0650; recommended by General Council for settlement authority
7. Claim #09-0948; recommended by General Council for settlement authority
8. Claim #09-0976; recommended by General Council for continued litigation
9. Claim #11-0396; recommended by General Council for settlement authority
10. Claim #11-0430; recommended by General Council for continued litigation

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11. Claim #11-0552; recommended by General Council for settlement authority
12. Claim #12-0013; recommended by General Council for continued litigation
13. Claim #12-0483; recommended by General Council for settlement authority

Mr. Hawkland moved to accept the recommendation. The motion was seconded by Ms. Mack and passed unanimously.

The Chairman moved to *Item 9* of the agenda, being any other matters requiring attention, and there were none.

There being no further business to discuss, the Chairman moved to adjourn. Ms. Mack moved to accept the chairman's recommendation. The motion was seconded by Mr. Hawkland and passed unanimously.

The meeting was adjourned at 2:35 p.m.

Recording Secretary: Laquita Jackson